

"Recognize our Special Needs
but
Meet our Basic Needs"

STATE OF THE STATE MESSAGE
ON PEOPLE WITH DISABILITIES

MINNESOTA STATE COUNCIL
FOR THE HANDICAPPED

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**Governor's Planning Council
on Developmental Disabilities**
Minnesota State Planning Agency
300 Centennial Building
658 Cedar Street
St. Paul, Minnesota 55155

HOUSING

Since the implementation of the accessibility building code requirements in 1975, Minnesota has made great progress. New buildings are accessible. Apartments are more readily available. Five percent of all new multi-housing units are accessible. Even with the improvements, the housing needs of disabled persons are greater than the supply.

The system developed in Minnesota addresses the needs of only a portion of individuals. The assumption that all persons with disabilities want to live in apartments is not true. Alternatives to apartment living should be available to persons with disabilities. In the metropolitan area there has been a tendency to build apartment buildings in which all units are accessible. This approach may be suitable for some and quite appropriate.

However, the time has come for housing authorities and developers to recognize that disabled people are individuals and should not be segregated. Authorities must work toward establishing scattered site housing - that is, interspersing accessible single family homes, duplexes, and townhomes in new developments.

The Council has evidence that, in some communities, accessible apartments are being rented to non-disabled individuals. This practice ignores the logic of assigning resources to the people for whom they were specifically designed.

The greatest housing problem for persons with disabilities is the lack of affordable housing. The income levels of disabled persons are lower on average than the general population. Costs related to the disabilities are higher. Most persons with disabilities cannot afford housing at market rate. Strategies must be developed which allow persons with lower income to establish equity or at least to have options to apartment living. For example, shared homes - a concept which has worked well in the older community, should be expanded to persons with disabilities.

RECOMMENDATIONS:

HOUSING POLICY - WHETHER IN THE PUBLIC OR PRIVATE ARENAS - SHOULD SEEK TO INCREASE THE AVAILABILITY OF AFFORDABLE, ACCESSIBLE COMMUNITY-BASED HOUSING OPTIONS. EFFORTS SHOULD BE MADE TO MAKE IT POSSIBLE FOR PERSONS WITH DISABILITIES TO STAY IN THEIR HOMES.

THE CONCEPT OF SHARED HOUSING FOR OLDER PERSONS SHOULD BE EXPANDED TO INCLUDE PERSONS WITH DISABILITIES.

SCATTERED SITE HOUSING SHOULD BE ENCOURAGED IN AREAS CLOSE TO SERVICES AND AWAY FROM EXCLUSIVELY ACCESSIBLE HOUSING UNITS.

MANAGERS OF APARTMENTS SHOULD BE REQUIRED TO ADVERTISE AND RENT ACCESSIBLE APARTMENTS ONLY TO PERSONS NEEDING SUCH FACILITIES, AS FAR AS POSSIBLE

TRANSPORTATION

Transportation services are a necessity for many persons with disabilities who cannot afford private transportation, who need accessible facilities, and are striving to become independent. Public transportation in Minnesota has been of mixed benefit for persons with disabilities. Many communities are without any type of public transportation; where public transportation is available; there is no assurance of accessible transportation.

Minnesota's 1983 Human Rights Act included standards to be implemented by public transit providers in June, 1986. The three year time period was included to permit providers to make changes necessary to comply with the new law. Without the involvement of advocacy groups, transit operators would not have been aware of the law, much less work toward compliance. The standards require access to public transportation for persons with disabilities.

The Regional Transit Board (RTB) has recently revamped the Metro Mobility system to a user subsidy system, in which the riders choose the transit providers, which are then paid a set rate for each trip provided.

The changes increased the fare for the riders by thirty-three percent. The original proposal was to increase the rate 100 percent to \$1.50 per one way trip. Constituents and advocacy groups had to intervene to reduce the increase. Would the general public sit back and quietly accept such a drastic rate hike???

The new system was planned by nondisabled people for disabled people. The RTB is not required to comply with the Administrative Procedures Act, which would give consumers the necessary opportunity for input.

Minnesota operates a federally funded program to purchase accessible vehicles for non-profit organizations. The recipient must pay for 20 percent of the cost of the van or bus and all operating expenses. Many vehicles sit idle for hours at a time while there is not apparent effort to share other human service organizations. No thorough review has been done on this transportation accessibility program. The Council believes that there is no apparent accountability on the use of the vehicles.

ISSUES:

The accessible vehicle program in Minnesota has not been evaluated. No requirements exist that the recipient coordinate the use of the vehicles with other organizations.

The availability and quality of accessible transportation depends upon the tenacity and commitment of consumers and advocacy groups, not upon the compliance with state law, or adherence to the principles of equality.

The process followed in implementing changes in the Metro Mobility system was faulty. Inadequate opportunity was given for users of the system to offer suggestions and affect the final outcome. During the implementation phase the needs of potential riders were secondary to the interests of the providers. The new system was started without assurance of safety and health protection.

RECOMMENDATIONS:

ALL COMMUNITIES WHICH PROVIDE TRANSIT SERVICES SHOULD COMPLY WITH THE HUMAN RIGHTS ACT REQUIREMENTS.

AGENCIES RECEIVING GRANTS FOR VEHICLES SHOULD BE REQUIRED TO COORDINATE WITH OTHER AGENCIES TO ENSURE MAXIMUM USE OF VEHICLES.

THE MINNESOTA DEPARTMENT OF TRANSPORTATION SHOULD REGULARLY REVIEW THE USE OF ACCESSIBLE VEHICLES.

THE REGIONAL TRANSIT BOARD SHOULD FORMALIZE A MEANINGFUL ROLE FOR REPRESENTATIVES OF THE DISABLED COMMUNITY.

THE REGIONAL TRANSIT BOARD SHOULD BE REQUIRED TO FOLLOW THE ADMINISTRATIVE PROCEDURES ACT

INDEPENDENT LIVING

Independent Living encompasses several concepts:

First, control and decision making are in the hands of the person with the disability.

Second, that persons with disabilities have the same range of options as any person.

Third, every person is at a different level of independence and should be given the opportunity to reach his or her own level.

The Independent Living program began in Minnesota in 1981 with the establishment of three Centers for Independent Living. There are now five centers in the State covering twenty-nine counties. To complete the system and provide adequate services to all counties three more centers are needed.

The relationship between state agencies and the centers for independent living needs to be stronger. The Division of Rehabilitation Services has not made the expected referrals to the centers due to a lack of understanding by the counselors of the role of centers.

RECOMMENDATIONS:

GOVERNMENTAL POLICY SHOULD SUPPORT THE INDIVIDUAL'S RIGHT TO LIVE INDEPENDENTLY AND TO CONTROL HIS OR HER OWN LIFE.

THE DIVISION OF REHABILITATION SERVICES SHOULD ESTABLISH A FORMAL POLICY TO REFER THOSE CASES CLOSED AS INAPPROPRIATE FOR VOCATIONAL REHABILITATION SERVICES DIRECTLY TO CENTERS FOR INDEPENDENT LIVING.

THE DIVISION OF REHABILITATION SERVICES SHOULD ENCOURAGE INDIVIDUALS COUNSELORS TO USE THE CENTERS AS RESOURCES AND REFERRALS.

EMPLOYMENT & TRAINING

The goal of employment is crucial to an individual's concept of self worth. If at all possible, persons with disabilities would prefer to work, to be active, to contribute to their communities. State policy should encourage persons to become active and to develop a marketable skill. State policy should encourage employers to hire persons with disabilities and to make their buildings accessible.

Minnesota has contributed millions of dollars to the rehabilitation and employment of people who are disabled. Yet the system has placed little emphasis on competitive employment, involving clients in the community.

Last year, Governor Perpich established an Advisory Board on Technology for People with Disabilities to foster the development of technological devices to allow people to live and work independently.

RECOMMENDATIONS:

THE GOAL OF THE STATE'S EMPLOYMENT POLICIES AND PROGRAMS SHOULD BE TO INCREASE OPPORTUNITIES FOR PERSONS WITH DISABILITIES TO BE GAINFULLY EMPLOYED.

FISCAL AND PROGRAM DISINCENTIVES AND BARRIERS TO QUALITY PREPARATION FOR EMPLOYMENT MUST BE ELIMINATED.

CONVERSELY, INCENTIVES FOR HIRING PEOPLE WITH DISABILITIES SHOULD BE PROMOTED AND USED AGGRESSIVELY.

THE ADVISORY BOARD ON TECHNOLOGY FOR PEOPLE WITH DISABILITIES SHOULD BE GIVEN STRONG SUPPORT.

HEALTH CARE

Minnesota has been a leader in the development of innovation in health care. At the same time there are many persons who have disabilities who do not have access to proper medical care.

Needed medical care may be too costly. Few are working at a job which provides health insurance. No attention is given to preventative care. The result is that the benefit of early detection of health problems is not possible. The cost of treatment is unnecessarily high; the chance of recovery is diminished.

Often professionals and insurance companies equate 'having a disability' with being ill. Many persons who have a disability are healthy and should be encouraged to be involved in all activities in the community.

A serious issue is the prevention of life-changing injuries caused by traffic accidents. Serious injury resulting in chronic health problems requiring extensive medical treatment could be avoided through the use of seat belts. The Legislature must be urged to maintain its resolve to require the use of seat belts for all occupants of motor vehicles.

RECOMMENDATIONS:

HEALTH CARE MUST BE READILY ACCESSIBLE TO PERSONS WITH DISABILITIES.

THE CURRENT SEAT BELT LAW MUST BE CONTINUED, EVEN STRENGTHENED TO REDUCE THE NUMBER OF SERIOUS INJURIES.

EDUCATION

EDUCATION guarantees all people the full measure of society's benefits. The need for quality education is important for children with disabilities. Approximately 80,000 children receive special education in Minnesota. Special education costs in the 1984-85 school year were \$220 million.

The questions must be asked -

How many the 80,000 could be in integrated settings?

How well do we prepare students for the future?

What skills are being taught?

What vocational emphasis is there at the secondary level?

In 1983 the U.S. Commission on Civil Rights reported that between 50 percent to 70 percent of working age adults with disabilities are unemployed.

Currently Minnesota mandates special education for children aged three and above. The benefit of early intervention practices is clear. The Council supports the extension of special educational services to include the birth to age two.

RECOMMENDATIONS:

EDUCATIONAL PROGRAMS FOR CHILDREN WITH DISABILITIES MUST BE PROVIDE SKILLS AND AWARENESS NEEDED TO BE ACTIVELY INVOLVED IN THE COMMUNITY UPON GRADUATION.

SPECIAL EDUCATION PROGRAMS SHOULD BE EXTENDED TO INCLUDE CHILDREN FROM BIRTH TO AGE TWO.

COMMUNITY ACCESS

Community Access is really an issue of taking away barriers to full participation in the community activities. The two areas which most symbolize this effort are accessible parking provisions and building code requirements.

State law places specific restrictions on the use of accessible parking places. Only persons with a valid parking certificate can use a designated space. Abuses exist with little penalty for violations. Able bodied persons sometimes resent the 'special' treatment afforded those with disabilities and either park in accessible spots or react negatively to those who do.

Certificates are only to be used by the person whose name is on the certificate. Certificate holders often permit others to use their certificate and to park illegally in an accessible space.

Building code enforcement has been a difficult issue for inspectors, builders, and developers to understand. The confusion has resulted from the option which many counties in Minnesota exercised to exempt the counties from the Minnesota Building Code. That exemption does not apply to the accessibility standards. Those standards still apply in every county in Minnesota. It is still the responsibility of the building inspector to see that buildings are accessible. Inspectors are not enforcing the code.

Buildings are being built or extensively remodeled without adhering to the building code. The most obvious example is the State Office Building. A year after being remodeled, the building is still deficient in the area of access.

Minnesota can be proud of its high standards in providing equal access to all. We must not allow ourselves to compromise those standards by diluting the enforcement of the state law.

RECOMMENDATIONS:

EVERY LEVEL AND UNIT OF GOVERNMENT, ARCHITECTS, CONTRACTORS AND BUILDING DESIGN OFFICIALS MUST BECOME COMMITTED TO THE CONCEPT AND PRINCIPLES OF BUILDING ACCESSIBILITY

BUILDING INSPECTORS IN EVERY CITY AND COUNTY MUST BE REQUIRED TO ENFORCE THE ACCESSIBILITY STANDARDS.

THE LEGISLATURE SHOULD INCREASE THE FINE FOR MISUSE OF ACCESSIBLE PARKING PERMITS, FOR PARKING ILLEGALLY IN AN ACCESSIBLE SPACE, AND FOR PHYSICIANS WHO IMPROPERLY AUTHORIZE A CERTIFICATE.

COMMUNITY AWARENESS / ATTITUDE

All of the issues presented earlier are in some way influenced by the level of awareness in the community. Public policy is shaped by relatively few. Decisions are often made without consideration of the impact on a group of people - without consulting those most affected.

Community attitude is central to the inclusion of people with disabilities in normal activities of society. Minnesota must be recognized as a state in which people with disabilities are encouraged to strive for the best and to reach their potential.

If public policy does not reflect the attitude of the community, that policy should be altered. Public policy should respect the rights of all persons, encourage independence, and foster individual self-development.

RECOMMENDATIONS:

NEWS MEDIA SHOULD ABOLISH FROM THEIR VOCABULARIES THE ARCHAIC WORDS "HANDICAPPED", AND "CRIPPLED". "WHEELCHAIR BOUND", "STRICKEN", "VICTIM", AND OTHER SIMILAR STIGMATIZING TERMINOLOGY ALSO SHOULD BE JETTISONED. IT DOES NOTHING TO HELP PEOPLE WITH SELF-RESPECT OR DIGNITY.

SCHOOLS, CHURCHES, CIVIC GROUPS ALL COULD ATTACK PREJUDICE, IGNORANCE, AND INDIFFERENCE BY MOUNTING SERIOUS EDUCATIONAL PROGRAMS USING THE RESOURCES OF DISABLED PERSONS IN THEIR COMMUNITIES